

**61.545 Service credit determination -- Division of service credit.**

- (1) The Authority shall determine by appropriate administrative regulations how much service in any year is the equivalent of a year of service credit and how much service in any calendar month is the equivalent of a month of service credit. It shall not allow credit for more than one (1) year of service for all service rendered in any period of twelve (12) consecutive months except as provided in KRS 61.546 in the case of the Kentucky Retirement Systems or KRS 78.616 in the case of the County Employees Retirement System.
- (2) (a) If an employee participates in more than one (1) of the retirement systems administered by the Kentucky Retirement Systems and County Employees Retirement System, the employee's service credit shall be divided between each system determined by dividing the employee's creditable compensation in each system by the employee's total creditable compensation in all systems.
- (b) 1. If an employee earns creditable compensation in both a hazardous position, as defined by KRS 61.592 or 78.5520, and a nonhazardous position, the employee's service credit shall be divided between the employee's hazardous and nonhazardous positions determined by dividing the employee's creditable compensation in the hazardous and nonhazardous positions by the employee's combined hazardous and nonhazardous creditable compensation, except as provided by subparagraph 2. of this paragraph.
2. If an employee is participating in a hazardous position, as defined by KRS 61.592, that meets the definition of a regular full-time position under KRS 61.510(21) or 78.510(21) based solely upon his or her service in a hazardous position, and is simultaneously employed in a nonhazardous position with a different participating employer that would not be considered a regular full-time position based solely upon his or her service in the nonhazardous position, the employee may make a one (1) time irrevocable election within thirty (30) days of employment in the nonhazardous position to not participate in the system for his or her employment in the nonhazardous position with that employer.

**Effective:** June 29, 2021

**History:** Amended 2021 Ky. Acts ch. 96, sec. 4, effective June 29, 2021; and ch. 102, sec. 50, effective April 1, 2021. -- Amended 2017 Ky. Acts ch. 32, sec. 8, effective June 29, 2017. -- Amended 2013 Ky. Acts ch. 120, sec. 48, effective July 1, 2013. -- Amended 2004 Ky. Acts ch. 36, sec. 10, effective July 13, 2004. -- Amended 2002 Ky. Acts ch. 52, sec. 4, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 385, sec. 13, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 105, sec. 8, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 167, sec. 9, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 406, sec. 1, effective July 15, 1994; and ch. 485, sec. 11, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 240, sec. 19, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 222, sec. 1, effective July 13, 1990; and ch. 489, sec. 4, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 349, sec. 13, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 53, sec. 1, effective July 15, 1986. -- Amended 1980 Ky. Acts ch. 165, sec. 2, effective July 15, 1980. -- Amended

1966 Ky. Acts ch. 35, sec. 3. -- Created 1956 Ky. Acts ch. 110, sec. 8.

**Legislative Research Commission Note** (6/29/2021). 2021 Ky. Acts ch. 96, sec. 14 provides that the amendments to KRS 61.545(3)(b) in 2021 Ky. Acts ch. 96, sec. 4 "shall only apply to any initial employment on or after [June 29, 2021] in a nonhazardous position that is not considered a regular full-time position by those members who are simultaneously participating in a hazardous duty position as provided by KRS 61.592 that is considered a regular full-time position. For purposes of this section, "regular full-time position" shall have the same meaning as provided in KRS 61.510(21) or 78.510(21)."

**Legislative Research Commission Note** (6/29/2021). This statute was amended by 2021 Ky. Acts chs. 96 and 102, which do not appear to be in conflict and have been codified together.

**Legislative Research Commission Note** (7/15/94). This section was amended by 1994 Ky. Acts chs. 406 and 485. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 485, which was last enacted by the General Assembly, prevails under KRS 446.250.